IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

Bail Appl..No. 3046 of 2007

(CRIME NO. 5/2006 OF PADAGIRI POLICE STATION)
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PETITIONER/5TH ACCUSED:

N.H.KAJA HUSSAIN, AGED.50 YEARS,
S/O.HYDER, AUTO CONSULTANT, D20,
MUNICIPAL SHOPPING COMPLEX, T.B.ROAD,
PALAKKAD.

BY ADV. SRI.P.CHANDRASEKHAR.

RESPONDENT/COMPLAINANT:

THE STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM, KOCHI.

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/05/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3046 OF 2007 A

Dated this the 25th day of May, 2007

O R D E R

Petitioner, who is the 5th accused in Crime No.5/06 of Padagiri Police Station for offences punishable under Secs.406, 419 and 468 read with sec.34 I.P.C., seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioner shall surrender before the investigating officer on any day between 30-05-2007 and 01-06-2007 for the purpose of interrogation and recovery of incriminating material, if any. The petitioner shall, thereafter, be produced on the same day before the Magistrate, who shall consider his application for regular bail, preferably on the same date on which such application is filed.

This petition is disposed of as above.

(V. RAMKUMAR, JUDGE)

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